

5 FAM 740 COOKIES

(TL:IM-33; 02-27-2002)

5 FAM 741 GENERAL POLICY

(TL:IM-33; 02-27-2002)

a. If cookies are used on Department web sites (see 5 FAM 742, *Cookie Intranet Use*, and 743, *Cookie Internet Use*), the web site must display a privacy statement informing the user that cookies are being employed.

b. If either persistent or session cookies are used for the purpose of collecting information, the requirements of 5 FAM 460, *Privacy Act Requirements*, must be met.

5 FAM 742 COOKIE INTRANET USE

(TL:IM-33; 02-27-2002)

Both persistent and session cookies may be used on Department intranet web sites.

5 FAM 743 COOKIE INTERNET USE

(TL:IM-33; 02-27-2002)

a. Session cookies may be used only if they retain the information only during the session or for the purpose of completing a particular online transaction, without any capacity to track users over time and across different web sites.

b. Persistent cookies must not be used on Department web sites, or by contractors when operating web sites on behalf of the Department. In the most extreme of circumstances, exceptional approval may be sought as outlined below.

c. In those cases where persistent cookies are determined to be absolutely mission critical, four conditions must be met if they are to be used:

- (1) The site gives clear and conspicuous notice of the use of cookies;
- (2) There is a very compelling need to gather the data on the site;

(3) Appropriate and publicly disclosed privacy safeguards exist for handling any information derived from the cookies; and

(4) The Secretary of State gives personal approval for the use of cookies.

d. Bureaus should consult with the Assistant Secretary for Administration for advice on "cookie" usage and guidance on submitting requests for such approval if and when their operational requirements appear to necessitate the use of a cookie.

5 FAM 744 THROUGH 749 UNASSIGNED